

REMARKS

The Office Action objected to claims 26-29, 39-42 and 54-57 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. The undersigned attorney thanks the Examiner for this indication.

The Office Action of March 17, 2009 rejected claims 18-21, 25, 33, 34, 38, 46-49 and 53 under 35 U.S.C. § 103(a) as being unpatentable over Tsunehara et al. (US 6307844 B1 “Tsunehara”) in view of Rezaiifar et al. (US637809 B1 “Rezaiifar”). In making this rejection the Office Action cites Tsunehara at col. 9, abstract, col. 1 lines 48-63, col. 7 lines 43-50 as disclosing a base station supporting a power control channel having “a plurality of power control bits, each power control bit corresponding to a reverse link common channel of the plurality of reverse link common channels and directing a respective subscriber unit to adjust its reverse link transmission power.” Such equivalence is incorrect, Tsunehara discloses a common power control channel, which is a forward link channel that includes power control signals intended for a plurality of mobile terminals. Each of power control signal of Tsunehara’s common power control channel corresponds to a respectively allocated non-shared uplink traffic channel (see FIG. 9 of Tsunehara and related text at col 7, lines 43-49). Claim 18 describes a power control channel that carries power control bits corresponding to a plurality of reverse link common channels, each reverse link channel shared by a plurality of subscriber units. The reverse link common channels of claim 18 are accessed by subscriber units without prior allocation by a base station. Tsunehara fails to disclose a power control channel that carries power control bits corresponding to reverse link common channels as required by claim 18. Thus the obviousness rejection of claim 18 must be withdrawn for this reason.

In making its rejection of claim 18, the Office Action cites Rezaiifar at fig. 3, col. 8, lines 57-67 and col. 9 lines 1-5 as disclosing “a plurality of inhibit bits, each of the plurality of inhibit bits corresponding to a reverse link common channel of the plurality of reverse link common channels and indicating whether a dedicated burst mode has been scheduled for the reverse link common channel.” Such equivalence is incorrect. Rezaiifar discloses a control channel that includes an “indicator bit.” As stated at col. 9, lines 2-3, the “indicator bit informs remote station 6 whenever there is information directed to remote station 6 on the fundamental channel in the next frame.” Thus, the “indicator bit” of Rezaiifar notifies a remote station when the fundamental channel in the next frame will carry information directed thereto. The “indicator bit” of Rezaiifar is not equivalent to an “inhibit bit” of claim 18. For these reasons, the combination of Tsunehara and Rezaiifar fails to render obvious claim 18 and claims 19-20 that depend there from.

Independent claim 21 includes, among other elements, the elements of: (1) a first power control/inhibit bit stream that corresponds to a first reverse link common channel; and (2) a second power control/inhibit bit stream that corresponds to a second reverse link common channel, the second power control/inhibit bit stream offset in relation to the first power control/inhibit bit stream. As stated above with reference to claim 18, Tsunehara fails to disclose the transmission of power control bits for one or more reverse link common channels. Further, as stated above with reference to claim 18, Rezaiifar fails to disclose “inhibit bits” that correspond to reverse link common channels. For these reasons, the combination of Tsunehara and Rezaiifar fails to render obvious independent claim 21 and claim 25, which depends there from.

Independent claim 33 includes elements similar/same as those of claim 18 and, for the

reasons cited above for claim 18, the combination of Tsunehara and Rezaifar fails to render obvious independent claim 33.

Independent claim 34 includes elements similar/same to those of claim 21 and, for these same reasons cited above for claim 21 the combination of Tsunehara and Rezaifar fails to render obvious independent claim 34 and claim 38 that depends from claim 34.

Independent claim 46 includes elements similar/same as those of claim 18 and, for the reasons cited above for claim 18, the combination of Tsunehara and Rezaifar fails to render obvious independent claim 46, and claims 47-48 that depend from claim 46.

Independent claim 49 includes elements similar/same to those of claim 21 and, for these same reasons above for claim 21, the combination of Tsunehara and Rezaifar fails to render obvious independent claim 49 and claim 53 that depends from claim 49.

Claims 22, 23, 24, 35, 36, and 50-52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsunehara in view of Rezaifar and further in view of Mucke et al. (US5548616 "Mucke"). For the reasons cited above, the combination of Tsunehara and Rezaifar fail to render obvious independent claim 21 from which claims 22-24 depend, claim 34, from which claims 35-36 depend and claim 49, from which claims 50-52 depend. Mucke does not teach control bits for a reverse link common channel or for the transmission of inhibit bits and therefore fails to meet the shortcomings of Tsunehara and Rezaifar. Therefore, for at least these reasons the combination of Tsunehara, Rezaifar, and Mucke fails to render obvious claims 22, 23, 24, 35, 36, and 50-52.

All pending claims (claims 18-29, 33-42, and 46-57) are now allowable. A Notice of Allowance is courteously solicited. Enclosed herewith is a change of correspondence form.

Please enter this change of correspondence information in the pending application. Please direct any questions to the undersigned attorney.

Respectfully submitted,

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